

\*\*\*\*\* UNITED STATES DISTRICT COURT \*\*\*\*\*

NORTHERN

DISTRICT OF

NEW YORK

AMENDED JUDGMENT IN A CIVIL CASE

DOCKET NO. 9:01cv1284 (DEW/DEP)

BYRON LAKE,

Plaintiff(s),

SCHOHARIE COUNTY, et al.,

Defendant(s).

\_\_\_\_\_ JURY VERDICT. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

  x   DECISION by COURT. This action came to trial or hearing before the Court. The issues have been tried and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED**

that Defendant Schoharie's Rule 50 Motion is GRANTED and Plaintiff's claims are dismissed with prejudice. Defendant Schenectady's Rule 50 Motion is DENIED. Defendants EMSA and Phyllis Harrison's Rule 50 Motions are GRANTED IN PART AND DENIED IN PART. Judgment as a Matter of Law is hereby entered in favor of EMSA as to Plaintiff's punitive damages claim only. Further Ordered that unless counsel can agree as to the amount of attorney's fees to be awarded to Plaintiff, this issue shall be referred to the magistrate for a Report and Recommendation, all in accordance with the Memorandum Ruling dd 12/29/05 and the Amended Memorandum Ruling dd 1/3/06, both of Senior USDJ Donald E. Walter.

DATE: January 3, 2006

  
Clerk of Court

s/WILLIAM J. GRIFFIN

By: \_\_\_\_\_

DEPUTY CLERK